

1 LYNN H. PASAHOW (CSB No. 054283)
e-mail: lpasahow@fenwick.com
2 J. DAVID HADDEN (CSB No. 176148)
e-mail: dhadden@fenwick.com
3 DARREN E. DONNELLY (CSB No. 194335)
e-mail: ddonnelly@fenwick.com
4 CAROLYN CHANG (CSB No. 217933)
e-mail: cchang@fenwick.com
5 FENWICK & WEST LLP
Silicon Valley Center, 801 California Street
6 Mountain View, CA 94041
Telephone: (650) 988-8500
7 Facsimile: (650) 938-5200

8 Attorneys for Plaintiff
INFORMATICA CORPORATION
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 INFORMATICA CORPORATION, a
Delaware corporation,

14 Plaintiff,
15 v.
16

BUSINESS OBJECTS DATA
17 INTEGRATION, INC., formerly known as
ACTA TECHNOLOGY, INC., a Delaware
18 corporation,

19 Defendant.

20 AND RELATED COUNTERCLAIMS.
21

Case No. C 02-03378 JSW

**STIPULATION AND [PROPOSED]
ORDER RE DAMAGES EXPERT
REPORTS AND DISCOVERY CUT-
OFF**

1 Opening expert reports on damages are currently scheduled to be due on April 17, 2006,
 2 with rebuttal expert reports scheduled to be due on May 10, 2006. BODI is currently still
 3 investigating whether it has additional documents relevant to damages to produce. Informatica is
 4 currently still producing documents relevant to damages. As both parties still have outstanding
 5 damages discovery, the parties have agreed to extend the dates for the damages expert report,
 6 with a corresponding extension for discovery cut-off. Due to the holiday weekend, the parties
 7 have also agreed to a two-day extension for opening technical expert reports. The parties further
 8 agree that opening technical expert reports will be served by hand by 5:00 p.m. on Wednesday,
 9 April 19, 2006, and opening damages expert reports will be served by hand by 5:00 p.m. on
 10 Monday, May 8, 2006. The schedule for dispositive motions remains unchanged. The parties
 11 hereby respectfully request the Court adopt the schedule set forth below.

12 In accordance with Civil Local Rule 6-2(a), attached hereto is a Declaration of Carolyn
 13 Chang setting forth (i) the reasons for the requested enlargement, (ii) a disclosure of all previous
 14 modifications in the case, and (iii) a description of the effect of the requested time modification
 15 on the schedule for the case.

16 **IT IS HEREBY STIPULATED**, by and between the parties, through their respective
 17 counsel that:

Event	Date
19 Parties to comply with Rule 26(a)(2)(B) with respect to 20 technical issues on which that party bears the burden of proof 21 (“Opening Technical Expert Reports”) (Service by hand by 5:00 p.m.)	5:00 p.m. on April 19, 2006
22 Parties to comply with Rule 26(a)(2)(B) with respect to 23 damages issues on which that party bears the burden of proof 24 (“Opening Damages Expert Reports”) (Service by hand by 5:00 p.m.)	5:00 p.m. on May 8, 2006
25 Parties to comply with Rule 26(a)(2)(B) in rebuttal/opposition 26 with respect to technical issues on which the other party bears the burden of proof (“Rebuttal Technical Expert Reports”)	May 10, 2006
27 Parties to comply with Rule 26(a)(2)(B) in rebuttal/opposition 28 with respect to damages issues on which the other party bears	May 29, 2006

1	the burden of proof ("Rebuttal Damages Expert Reports")	
2	Discovery cut-off	June 5, 2006
3	Dispositive motions filed	June 16, 2006 (unchanged)
4	Hearing on dispositive motions	August 4, 2006 (unchanged)

5
Dated: April 14, 2006

Respectfully submitted

6
7 FENWICK & WEST LLP8
9 By: _____ /s/ Carolyn Chang
10 Carolyn Chang11 Attorneys for Plaintiff
INFORMATICA CORPORATION

12 Dated: April 14, 2006

TOWNSEND AND TOWNSEND AND CREW LLP

13
14 By: _____ /s/ Robert D. Tadlock
15 Robert D. Tadlock16 Attorneys for Defendant
17 BUSINESS OBJECTS DATA INTEGRATION, INC.

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19
20 Dated: April 18, 2006
Honorable Jeffrey S. White
United States District Court Judge
Northern District of California